



GUIDELINES FOR DISTRICT ELECTION  
COMMISSION MEMBERS

Approved by Decree of the CEC No 51/2016 of 27 July 2016

The present Guidelines are intended to train district election commission (DEC) members for the 8 October 2016 Parliamentary Elections of Georgia. For complete details of legislative regulations related to DEC authorities and rules of operation refer to the Organic Law of Georgia on the “Election Code of Georgia” and the relevant legal acts of the CEC.

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# PART I

## COMPOSITION AND RULES OF OPERATION OF DECS

# CHAPTER I – STAFFING PROCEDURE AND AUTHORITIES OF DECS

## Staffing procedure and term of office of DECs

*(Election Code – Article 19; Article 20)*

DECs shall consist of 13 members:

- ▶ five members shall be elected by the CEC (for five years);
- ▶ seven members shall be appointed by parties (these members shall be appointed after the elections are called and their term of office shall terminate upon the announcement of the final results of the elections);
- ▶ one member shall be elected by the CEC (he/she shall be elected after the elections are called and his/her term of office shall terminate upon the announcement of the final results of the elections).

## Authorities of DECs

*(Election Code – Article 21; Article 1102)*

**MDECs (Annex No 1) shall fully exercise their authorities within their territorial limits and shall, among other things:**

- ▶ ensure the conduct of elections in electoral districts, monitor the observance of the election legislation of Georgia and its uniform application;
- ▶ establish and specify electoral precinct boundaries by an ordinance;
- ▶ facilitate the formation of the lists of voters in accordance with the established procedure, ensure their publicity and availability;
- ▶ grant, by an ordinance, the status of a local observer to local non-entrepreneurial (non-commercial) legal entities;
- ▶ review applications and complaints related to the election process and make relevant decisions within the scope of their authority;
- ▶ on the basis of the summary protocols of polling results of PECs determine the polling results of the elections held through the majoritarian system (a DEC summary protocol of polling results shall be drawn up on the given results).
- ▶ ensure the conduct of re-run elections, repeat voting, and run-off elections.

**SDECs (Annex No 1) shall partially exercise their authority within their territorial limits, and shall, among other things:**

- ▶ ensure the conduct of elections in electoral districts;

- ▶ at the written request of the relevant MDEC, participate in the specification of the boundaries of electoral precincts;
- ▶ facilitate the formation of the lists of voters in accordance with the established procedure, ensure their publicity and availability;
- ▶ for the purpose of registering the representatives of electoral subjects and observers, as well as for accrediting the representatives of the press and other media, receive and send relevant documents to the relevant MDEC;
- ▶ receive and forward applications and complaints related to the election process to the relevant MDEC;
- ▶ at the written request of the relevant MDEC chairperson, participate in administrative proceedings and ensure the transmission of the relevant materials of administrative proceedings to the appropriate MDEC;
- ▶ receive summary protocols of polling results from the PECs located in the municipal territory of the relevant SDEC and forward them to the relevant MDEC;
- ▶ ensure the conduct of re-run elections, repeat voting, and run-off elections.

### ATTENTION!

The territorial limits and the authorities of MDECs shall be determined by the CEC Ordinance No 162/2016 of 31 March 2016 and the CEC Decree No 30/2016 of 8 July 2016

### DEC head officers and their authorities

*(Election Code – Article 20; Article 22)*

#### **The following persons shall be DEC head officers:**

- ▶ the DEC chairperson;
- ▶ the DEC deputy chairperson;
- ▶ the DEC secretary.

#### **The DEC chairperson shall:**

- ▶ chair DEC meetings;
- ▶ manage the financial resources of a DEC;
- ▶ give assignments to the deputy chairperson, secretary, other members, and assisting and technical personnel;
- ▶ exercise other authorities provided for by the election legislation of Georgia.

#### **The DEC deputy chairperson shall:**

- ▶ perform the duties of the DEC chairperson if the DEC does not have a chairperson or the DEC chairperson is unable to perform his/her duties;



- ▶ exercise the individual authorities of the DEC chairperson on the basis of an ordinance of the DEC chairperson (the ordinance shall clearly specify the scope and term of the authorities).

**The DEC secretary shall:**

- ▶ distribute election documents and correspondence submitted to the DEC;
- ▶ draft DEC ordinances and minutes of DEC meetings;
- ▶ exercise other authorities granted under the election legislation of Georgia.

**Legal acts of DEC**

*(Election Code – Article 30(1(b))) (District Election Commission Regulations – Article 7)*

**The following shall be the legal acts issued by DEC:**

- ▶ DEC ordinances;
- ▶ ordinances of the DEC chairperson;
- ▶ ordinances of the DEC secretary;
- ▶ the DEC summary protocols of polling and election results.

**Engagement of DEC and restrictions applied to them in pre-election agitation/campaign**

*(Election Code – Article 45(4)(a); Article 45(9-10))*

DECs shall receive information from local self-government bodies about the premises where pre-election campaign activities (agitation) may be conducted, and on the basis of the list of allocated premises design for electoral subjects, in agreement with them, a schedule for conducting electoral events (if the events overlap and electoral subjects fail to reach an agreement, the sequence of the events shall be determined by casting lots). An MDEC shall send information on the premises available for conducting election campaign activities (agitation) to the relevant **SDEC** (if any), and an SDEC shall send the information to the relevant MDEC.

A DEC shall, not later than 24 hours after the receipt of an application from an electoral subject for the use of specific premises, send a written and reasoned reply to the electoral subject. Failure to reply within the indicated time limit shall be deemed as consent.

**ATTENTION!**

DEC members may not engage in pre-election agitation.

## CHAPTER II – RULES OF OPERATION OF DECS 7

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### **Preparation of DEC meetings**

*(District Election Commission Regulations– Article 9)*

The DEC chairperson, on his/her own initiative, or upon the request of his/her deputy, shall convene a DEC meeting.

The DEC secretary shall, immediately after a decision has been made to convene a DEC meeting, display a notice of the meeting in a visible place in the DEC and indicate the date, exact time and planned agenda.

The DEC deputy chairperson, and in the case of his/her absence, the DEC secretary, shall be personally responsible for notifying each DEC member on the date and exact time of the DEC meeting.

### **A DEC meeting shall be open to the public.**

*(Election Code– Article 8(15); District Election Commission Regulations – Article 9(10))*

### **The following persons shall have the right to attend a DEC meeting:**

- ▶ the CEC members and representatives;
- ▶ members of the staff of the CEC and of the relevant DEC;
- ▶ media representatives accredited to the relevant DEC;
- ▶ one representative of an electoral subject in the relevant DEC;
- ▶ one observer from a local observer organisation registered with the relevant DEC;
- ▶ one observer from an international organisation (together with an interpreter);
- ▶ interested parties invited to review specific issue(s), (who shall leave the meeting immediately after the relevant decision envisaged by the agenda has been made).

In the case of any breach of order and interference with the work of a DEC, the DEC may decide to remove the person(s) responsible. This fact shall be recorded in the minutes of the meeting.

### **Conduct of DEC meetings**

*(District Election Commission Regulations – Articles 9-10)*

DEC meetings shall be chaired by the DEC chairperson or his/her deputy. A meeting shall be deemed duly constituted if it is attended by the majority (at least seven members) of its total membership (13 members). The DEC members shall verify their attendance by signing an attendance sheet. The DEC secretary shall prepare the agenda of DEC meetings.

Each member of the Commission may address the meeting for two minutes on the topic envisaged by the agenda and according to the sequence determined by the chairperson of the meeting. With the permission of the chairperson of the meeting, they may also additionally address the meeting on the same issue for two minutes.

Persons authorised to attend a commission meeting may address the meeting after the commission members, with the consent of the chairperson of the meeting and for the duration (not exceeding two minutes for one address) specified by him/her. With the permission of the chairperson of the meeting, they may additionally address the meeting on the same issue for two minutes.

### **Procedure for adopting ordinances at DEC meetings**

*(Election Code – Article 8(4); District Election Commission Regulations – Article 7; Article 10)*

The drafts of DEC ordinances shall be prepared by the DEC secretary. A DEC ordinance shall be deemed adopted if it is supported by the majority of the members present at the DEC meeting, but by at least one third of its total membership (at least five members). DEC decisions regarding the decisions made by the relevant PEC, including decisions on declaring the precinct voting results void, the opening of packages received from a PEC and the counting of ballot papers, shall be adopted by at least two thirds of those present at the meeting.

In the case of an equal number of votes, the chairperson of the meeting shall give the casting vote. The ordinance of the commission shall be signed by the chairperson and the secretary of the meeting.

### **ATTENTION!**

DECs, DEC chairpersons and DEC secretaries shall immediately after an ordinance has been signed, display it in the DEC in a visible place for public review (*District Election Commission Regulations – Article 7(4)*). In addition, an MDEC shall forward all the adopted decisions to the relevant SDEC (Decree of the CEC No 30/2016 of 8 June 2016).

## Minutes of DEC meetings

*(Election Code – Article 8; District Election Commission Regulations – Article 9)*

The process of reviewing issues and making decisions at a DEC meeting shall be recorded in the minutes of the DEC meeting. The minutes of the DEC meeting shall be signed by the chairperson of the meeting and the DEC secretary. The DEC secretary shall draw up the minutes of the meeting within 1 day after the meeting.

### ATTENTION!

- ▶ A DEC member objecting to a decision of the commission may express his/her dissenting opinion, which shall be included in the minutes of the meeting.
- ▶ A dissenting DEC member shall respect and comply with the decisions delivered by the commission. He/she may not impede the execution of the DEC decision by his/her action/omission.

## Rules of communication of DEC's

*(District Election Commission Regulations – Article 11)*

Each DEC shall keep registration books for incoming and outgoing documents; the DEC secretary shall be responsible for their maintenance.

The DEC secretary shall receive, issue and register election documents, applications and complaints from 10.00 to 18.00 in accordance with the Rules of Communication of DEC's approved by Order of the CEC Chairperson No 01-47 of 31 March 2016.

The DEC secretary shall close a registration book at 18.00 each day (except for polling day). For this purpose, the DEC secretary shall make a notation – 'registration book is closed' – in the registration book after the last entry, indicating the date, the exact time and his/her signature. No document may be registered in the registration book after it is closed.

### ATTENTION!

- ▶ Any application submitted to SDEC shall automatically be deemed to be submitted to the relevant MDEC.
- ▶ SDECs shall send documents to relevant MDECs in the form of an 'outgoing letter'. SDECs shall keep copies of such documents.

# PART II

## DEC ACTIVITIES IN THE PRE-ELECTION PERIOD

## CHAPTER I – FIRST MEETING OF A PEC

### The first meeting of a PEC

*(Election Code – Article 8(23); Article 25(21))*

The first meeting of a PEC shall be held not later than the 30<sup>th</sup> day (8 September) before the Election Day. The meeting shall be convened by **the MDEC chairperson**. The meeting shall be duly constituted if it is attended by a majority of the total membership of the commission, but by at least seven members. Until the election of the chairperson, the meeting shall be chaired by the oldest member of the commission.

### Procedure for electing the PEC chairperson/deputy chairperson/secretary

*(Election Code – Article 25)*

The PEC chairperson/deputy chairperson shall be elected from among the commission members, by a roll-call vote, by a majority of the total number of commission members. A candidate must be nominated by at least two members of the commission.

#### ATTENTION!

- ▶ The DEC chairperson/deputy chairperson/secretary shall not be commission members nominated by one electoral subject.
- ▶ The same person may be nominated only twice for the position of the DEC chairperson/deputy chairperson/secretary.
- ▶ A candidate nominated for the position of the DEC chairperson/deputy chairperson/secretary may participate in the voting and cast a vote in his/her own favour.

The election of the PEC chairperson/deputy chairperson/secretary shall be documented by the DEC ordinance.

If the PEC chairperson/deputy chairperson/secretary is not elected within the specified time limit, the duties of the above officials, until their election, shall be performed by the commission member that received the highest number of votes during the vote, and in the case of equal votes, the person who is selected from among themselves by casting lots.

## CHAPTER II – LISTS OF VOTERS

### **Submission of the Unified List of Voters to a PEC and the procedure for its publication**

*(Election Code – Article 31, Article 18512)*

#### **The Unified List of Voters shall include the following data on voters:**

- ▶ last name, first name;
- ▶ date of birth (day, month, year);
- ▶ address (according to a Georgian citizen’s identity card or the database of the Public Service Development Agency – a legal entity under public law (LEPL) operating under the Ministry of Justice of Georgia (“the Agency”));
- ▶ the personal number of a citizen of Georgia;
- ▶ actual place of residence (a temporary place of residence shall be indicated for internally displaced persons (IDPs) from the occupied territories of Georgia, for individuals registered without an indication of an address, for individuals removed from registration according to their place of residence, as well as for individuals whose registration has been declared invalid by a decision of the Agency; for individuals living abroad, ‘on a consular registry’ shall be indicated, and, if individuals living abroad are not on a consular registry of Georgia, ‘staying abroad’ shall be indicated);
- ▶ the date of registration in the Unified List of Voters;
- ▶ gender;
- ▶ photograph (the latest digital photograph available in the electronic database of the Agency);

The public version of the Unified List of Voters (the wall list) signed by the **MDEC** chairperson and secretary shall, not later than the day of the first meeting (not later than the 30<sup>th</sup> day before polling day (8 September), be transferred to a PEC. *(Decree of the CEC No 56/2016 of 19 August 2016-website,19.08.2016)*

The public version of the Unified List of Voters (the wall list without photographs) shall immediately be displayed in a visible place at the polling place.

#### **PECs shall receive the verified final versions of the lists of voters not later than the second day prior to polling day (6 October):**

- ▶ the version intended for PECs (the table list);
- ▶ the version intended for the public (the wall list).

**ATTENTION!**

- ▶ The preliminary version of the wall list shall be removed and the verified version shall be displayed in the same place.
- ▶ The table list and its copy may not be released as public information.

**Verification of the Unified List of Voters**

*(Election Code – Article 31(7)-(7<sup>1</sup>))*

A party or an electoral bloc registered for elections, observer organisations and voters shall have the right to review the public version of the lists of voters available at DEC and PECs (a voter shall have the right to request access only to all the data available about himself/herself and members of his/her family and amend them) and in the case of any inaccuracies, to request the amendment of the voters' data and of the lists of voters **not later than the 16<sup>th</sup> day** (22 September) before the Election Day.

**ATTENTION!**

- ▶ The access to the data on voters and the release of the copies of such data shall be carried out in accordance with the procedure established by the legislation of Georgia for accessing and releasing public information.
- ▶ The public version of the Unified List of Voters with photographss may be released only in an electronic form. In order to receive the list, an authorised person shall present to the DEC an electronic storage medium with adequate storage capacity.

Applications for making amendments to the list of voters shall be submitted both to a DEC and PEC.

A PEC located in the municipal territory of an MDEC shall immediately forward applications on amendments to the lists of voters to the relevant **MDEC**, and a PEC located in the municipal territory of a SDEC shall immediately forward such applications to **the relevant SDEC**.

**The body authorised to review the results of the verification of the lists of voters**

*(Election Code – Articles 31(8))*

During the election period, the Electoral Administration shall verify the lists of voters on its own initiative and based on applications/complaints.



DECs (both **main** and **subsidiary**) shall review applications and PEC petitions within two calendar days after their receipt, but not later than the 14<sup>th</sup> day before the Election Day (24 September) and shall:

- ▶ make a decision on making amendments to the data of voters/lists of voters and apply to the Agency and notify the CEC;
- ▶ make a decision to refuse to make amendments to the voter data/lists of voters.

### ATTENTION!

An ordinance on the refusal to make amendments to the voter data/lists of voters shall be reasoned and upon request, shall be given to the applicant from the next day of its issuance.

#### Making amendments to the Unified List of Voters (*Election Code – Article 31(9), 185<sup>12</sup>*)

The ordinance of an MDEC on making amendments to the voter data/the lists of voters shall be immediately submitted to the CEC and the relevant PEC, and the decision of **an SDEC shall also be submitted to the** CEC, the **MDEC** and the relevant PEC. If the request is granted:

- ▶ the voter shall be entered into the list;
- ▶ the data of the voter shall be removed from the list.

### ATTENTION!

Voters who have been removed from registration according to their place of residence, or whose registration has been declared void by decision of the Agency or who have been registered without an indication of address shall be able to vote in the elections if they register with the Agency before 1 August 2016 according to their place of residence or only indicate their place of actual residence and take a digital photograph. (*Election Code – Article 185<sup>12</sup>*).

#### Procedure for appealing DEC decisions

(*Election Code – Articles 31(10)*)

An ordinance of a DEC on the refusal to make amendments to the voter data/lists of voters may be appealed to the relevant district/city court within two days of its issuance.

If the appeal is satisfied by the court, the court decision shall be transferred to the DEC within two days, but not later than **the 11<sup>th</sup> day** (27 September) before the Election Day. The DEC shall transmit the relevant information to the CEC and the relevant PEC, and **a**

**SDEC** shall submit such information to the **MDEC as well**. DEC's shall, by an ordinance, immediately enter the appropriate changes into the data of voters/list of voters.

### Special lists of voters

*(Election Code – Article 32)*

A DEC shall compile and approve by an ordinance a special list of voters **not later than the 3<sup>rd</sup> day** before polling day (5 October) and forward it to the relevant PEC. A special list of voters shall contain the same voter data as those entered in the Unified List of Voters, with or without a photograph.

#### **DECs shall enter the following persons into a special list of voters:**

- ▶ the Electoral Administration officials who are unable to vote on polling day according to the place of their registration due to their activities in election commissions (DECs shall enter those persons into the list of the pre-determined electoral precinct, not later than the 5<sup>th</sup> day before polling day). The data of such category of voters shall be entered into the special list of voters without photographs;
- ▶ voters who are receiving treatment in a hospital or in any other in-patient medical facility and who cannot be discharged from such a facility on polling day because of their health condition (the list of these persons shall be submitted to the DEC by the head of the medical facility concerned **not later than the 6<sup>th</sup> day** before polling day). The data of such category of voters shall be entered into the special list of voters without photographs;
- ▶ voters who are in custody on polling day (the list of these persons shall be submitted to the DEC by the head of the penitentiary facility **not later than the 6<sup>th</sup> day** before polling day). The data of such category of voters shall be entered into the special list of voters without photographs;
- ▶ voters who are under administrative detention on polling day. (The list of these persons shall be submitted to the DEC by the head of the relevant facility **not later than 4 days** before polling day). The data of such category of voters shall be entered into the special list of voters without photographs;
- ▶ the service members and persons with special ranks of the Ministry of Defence of Georgia, the Ministry of Internal Affairs of Georgia, the Ministry of Corrections of Georgia, the State Security Service of Georgia, the Georgian Intelligence Service and the Special State Protection Service of Georgia, as well as officers of the Medical

Department, the Penitentiary Department and penitentiary institutions of the Ministry of Corrections of Georgia whose working or health conditions on polling day require their presence at a location other than the electoral district they are registered at according to their address. (The list of these persons shall be submitted to a DEC by the commanders of the respective divisions/units or by the heads of the respective institutions/divisions **not later than the 25<sup>th</sup> day**, and taking into account the results of the conscription to military service, **not later than the 6<sup>th</sup> day**, before polling day). The starting and ending dates of the service of such category of voters at the relevant deployment shall also be entered into the special list of voters. The data of such category of voters shall be entered into the special list of voters without photographs.

After compiling the special lists of voters, the DEC concerned shall forward to the relevant PEC the data of persons who are entered into another precinct's special list of voters.

The PEC secretary shall find in the Unified List of Voters (both in table and wall versions) the voters entered into the special list or those transferred to another precinct's special list and in the box 'actual status', alongside the voter's last name, shall enter 'commission member', 'in custody', 'in hospital', 'in military service'.

If a voter addresses a DEC with a request to participate in the elections, and who failed to apply to the commission for registration in the list not later than the 16<sup>th</sup> day (22 September)

before the Election Day (**because he/she has arrived from abroad, was discharged from a hospital, was released from a penitentiary institution**), he/she shall be registered by the DEC within two days after the submission of an application and relevant documents (entry in the passport on crossing the border, certificate of discharge from a medical institution, or a certificate of release from a penitentiary institution), and if there are less than two days left before polling day, he/she shall be registered immediately (information on the voter shall be entered into the special list of voters).

## ATTENTION!

The DEC shall immediately communicate to the voter its decision on a refusal to provide registration.

## Procedure for drawing up mobile ballot box lists

*(Election Code – Article 33; Article 34(2)(e))*

PECs shall be responsible for drawing up mobile ballot box lists. Mobile ballot box lists shall be drawn up based on the unified and special lists of voters. Voters shall be entered into a mobile ballot box list if:

- ▶ they are unable to visit the polling station due to disability and/or health problems. The number of such voters shall **not exceed 3%** of the total number of voters in the Unified List of Voters at the relevant precinct.

### ATTENTION!

- ▶ After this limit has been reached, the chairperson of a PEC located on the municipal territory of the relevant MDEC shall immediately notify the MDEC about every new application submitted to the PEC, and the chairperson of an SPEC shall notify the head of the relevant SDEC.
- ▶ A decision on whether it is advisable to enter a voter into the mobile ballot box list shall be made by the DEC by at least two-thirds of the DEC members present at the meeting.

- ▶ a voter is in the territory of an electoral precinct, but his/her location is difficult to access (in such case consultation with the relevant DEC is recommended).

**On the basis of the information provided by the special lists of voters and by the DEC, the PEC shall enter the following voters into the mobile ballot box list:**

- ▶ voters who are receiving treatment in hospitals or in any other in-patient medical facility where there is no electoral precinct;
- ▶ voters who are in custody;
- ▶ voters who are under administrative detention;
- ▶ voters who are the service members of a military unit or a border police unit stationed at the State Border of Georgia, which is located far from the electoral precinct;
- ▶ voters who serve in the Medical Department of the Ministry of Corrections of Georgia, the Penitentiary Department and penitentiary institutions and whose working conditions on polling day require their presence at the work place;

- ▶ voters who are service members and persons with special ranks of the Ministry of Defence of Georgia, the Ministry of Internal Affairs of Georgia, the Ministry of Corrections of Georgia, the State Security Service of Georgia, the Georgian Intelligence Service and the Special State Protection Service of Georgia, and whose working or health conditions during the polling period require their presence at the work place

In the case of entering a voter into a mobile ballot box list, an entry – ‘mobile ballot box’ – shall be made in the box – ‘actual status’ – alongside the voter’s surname in the unified and special lists of voters.

### **ATTENTION!**

A mobile ballot box list shall contain the same data of voters that are entered into the Unified List of Voters, except for their photographs, and the serial numbers of those voters shall be additionally indicated in the unified or special list of voters.

## CHAPTER III – TRANSFERRING ELECTION DOCUMENTS AND INVENTORY

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### Transferring election documents to PECs

For the purpose of preparing and conducting the voting, **MDECs** and **SDECs** shall transfer all required election documents and inventory to the electoral precincts located in their municipal territories before polling day, in particular:

#### Election documents:

- ▶ the final versions of the Unified List of Voters (wall and table lists);
- ▶ a special list of voters, if any (wall and table lists);
- ▶ forms of the list of mobile ballot box voters (wall and table lists);
- ▶ voter invitation cards;
- ▶ notebooks of ballot papers;
- ▶ special envelopes;
- ▶ the polling day log-book (a so-called lace-bound log-book);
- ▶ control sheets;
- ▶ summary protocols of polling results and 'amendment protocol' forms;
- ▶ demonstration protocols of polling results.

#### Election inventory:

- ▶ the main and mobile transparent ballot boxes;
- ▶ seals of ballot boxes;
- ▶ polling booths;
- ▶ electoral ink and inking verification device (ultra-violet detector);
- ▶ PEC seal;
- ▶ registrars' special stamps;
- ▶ photocopier machine;
- ▶ ink pads.

#### Other election materials:

- ▶ party lists;
- ▶ candidate lists;
- ▶ instructions for completing ballot papers;
- ▶ extract from the law related to cases where ballot papers are deemed invalid;
- ▶ packaging envelopes for election documents.

MDECs and SDECs shall transfer ballot papers and special envelopes to PECs located in their municipal territories not later than 12.00 before the opening of the polls and the delivery and acceptance certificates shall be drawn up in the process of the transfer of the said documents (*Election Code – Article 63(9),(10)*).

### **ATTENTION!**

Before signing a delivery and acceptance certificate, the recipient and the deliverer shall check whether the details of the ballot papers match and count the ballot papers which must be transferred. After that, ballot papers shall be sealed again, which shall be endorsed by the signatures of the parties. (*Election Code – Article 63(11)*)

# PART III

## REGISTRATION OF PERSONS PARTICIPATING IN THE ELECTION



## CHAPTER I – REGISTRATION OF CANDIDATES FOR MEMBERS OF PARLIAMENT

### Nominating candidates in majoritarian electoral districts

*(Election Code – Article 116(2))*

A party running in the elections independently/an electoral bloc may, in each electoral district, nominate **one candidate for Member of Parliament**, and an initiative group of voters may nominate one candidate in the relevant majoritarian electoral district.

### Registration of initiative groups

*(Election Code – Article 36<sup>1</sup>; Article 116(3-7),(9))*

In order to nominate a candidate for Member of Parliament of Georgia, an initiative group of voters may file an application either to the **MDEC** or **SDEC** not later **than the 57<sup>th</sup> day before polling day** (12 August), after which the initiative group of voters may start collecting the signatures of supporting voters.

The application shall specify the following information about a candidate for Member of Parliament of Georgia:

- ▶ the first and last name;
- ▶ the date of birth;
- ▶ occupation;
- ▶ position (activity);
- ▶ workplace;
- ▶ place of registration;
- ▶ party membership;
- ▶ period of residence in Georgia;
- ▶ the first and last names, the number of an identity card of a citizen of Georgia (passport number of a citizen of Georgia), place of registration, contact telephone number, and other information (if any) of members of the nominating initiative group of voters (at least five members) and of their representative.

The application signed by all members of the initiative group of voters shall be supported by:

- ▶ **a written consent** of the candidate nominated for Member of Parliament of Georgia to run in elections;

- ▶ a photocopy of the identity card or passport of a citizen of Georgia;
- ▶ two photographs.

If the submitted documents comply with the requirements of the law, the **SDEC** concerned shall immediately forward them to the relevant MDEC. The MDEC chairperson shall register the initiative groups of voters not later than the **next day** after the application has been submitted either to the SDEC or to the MDEC.

If the submitted documents fail to comply with the requirements of the law, the relevant DEC chairperson shall immediately notify the applicant about the defect. The corrected documents shall be sent back to the DEC chairperson not later than **the next day**. The SDEC shall immediately send the corrected documents to the MDEC, whose chairperson shall make a decision on registration.

### ATTENTION!

A member of an initiative group of voters may not, at the same time, be a member of another initiative group of voters.

### Registration of candidates nominated by an initiative group of voters and verification of the lists of his/her supporters

*(Election Code – Articles 115(7)-(11); 116; Decree of the CEC No 11/2014 of 20 March 2014)*

**In order to register a candidate for Member of Parliament of Georgia, a representative of the initiative group of voters shall, not later than the 50<sup>th</sup> day (19 August) before polling day, submit the following documents to the relevant DEC:**

- ▶ drug test certificate (one copy);
- ▶ registration card (two copies);
- ▶ the list of supporters.

**The SDEC shall immediately forward the submitted documents to the MDEC.**

**The nomination of a candidate** by an initiative group of voters shall be endorsed by **the signatures of at least 1%** of supporting voters registered in the territory of the corresponding electoral district, except for the cases where the nominated candidate was elected as a Member of Parliament of Georgia in the last parliamentary elections.

The list of supporters shall be sealed in the presence of the representative of the initiative group immediately after the list is submitted to the DEC; the sealed documents shall be signed by the authorised DEC employee and the representative of the initiative group.

**ATTENTION!**

The minimum number of signatures of supporters required for the nomination of a candidate in the relevant majoritarian electoral district by an initiative group of voters for the 8 October 2016 Parliamentary Elections of Georgia shall correspond to the minimum number established by the CEC Ordinance No 235/2016 of 8 June 2016

**MDECs** shall verify the lists of supporters of a candidate and the MDEC chairperson shall make a decision on its registration.

Upon a written request of the relevant MDEC, **the SDEC** shall verify the lists of supporters submitted to it by the initiative group of voters and present its conclusion on verification to the MDEC, whose chairperson shall decide on the registration of the candidate concerned.

**Verification of the lists of supporters**

*(Election Code – Article 38; Decree of the CEC No 11/2014 of 20 March 2014)*

A representative of an electoral subject shall have the right to attend the verification process of the list of supporters. The verification of the list of supporters shall be completed **within three days** after its submission.

In the process of the verification of the lists of supporters, the authorised DEC employee, together with the representative of the initiative group, shall examine the integrity of the seal and remove it, after which the number of presented signatures shall be counted. If the number of signatures meets the minimum requirement, the authorised DEC employee shall verify the signatures one by one.

**ATTENTION!**

If the number of signatures is less than the minimum requirement, the applicant seeking registration as an electoral subject shall be refused registration.

**The signature of a supporting voter in the list of supporters shall be deemed void if:**

- ▶ the first and last names of the voter are not specified or are incompletely specified; the date of birth (day, month, year), the place of registration (locality, street, building, and apartment number) are not specified or are incompletely specified; the personal identification number of a citizen of Georgia is not specified or is incorrectly specified;

- ▶ the date of signature is not specified or does not comply with the deadline defined for drawing up the list of supporters;
- ▶ it is not signed or is signed by another person and this is confirmed in writing by the voter in whose place the list was signed;
- ▶ a signatory confirms, with an application certified by a notary and submitted to the respective election commission, that the list was signed under deception, intimidation, or pressure;
- ▶ a voter listed as a supporter of a candidate nominated in the given electoral district is registered in another electoral district.

A signature shall be declared void if it is made on a form that is not endorsed by the person in charge of collecting signatures or if such a form does not include the following data or includes incomplete data on the person authorised to collect the signatures:

- ▶ the first and last name;
- ▶ address (according to an identity card of a citizen of Georgia);
- ▶ phone number;
- ▶ date of completing the form.

If as result of the verification, the number of signatures (taking into account the **invalidated** signatures) is less than the established minimum requirement, the part of the list with invalidated signatures shall be returned to the initiative group of voters who shall be given **two days to correct the defect**.

The DEC shall, in accordance with the same procedure, verify again the part of the list of supporters re-submitted by the initiative group of voters. If, despite the correction of the defect, the number of supporters' signatures is still less than the established minimum requirement, **the entire list of supporters shall be declared void** and the candidate shall be refused registration by an ordinance of the **MDEC**.

**The MDEC chairperson** shall, by ordinance, **register** a candidate for Member of Parliament of Georgia not later than the 30<sup>th</sup> day (8 September) before the Election Day and issue to the candidate a relevant certificate **within three days** after the registration.

Upon request, **the SDEC chairperson** shall give to a candidate for Member of Parliament of Georgia a certificate signed by the chairperson of the relevant MDEC (the certificate shall be printed from the Election Process Management System (EPMS) 'armasi'), which shall be certified by the SDEC's seal.

### **Registration of candidates nominated by parties/electoral blocs**

*(Election Code – Articles 116(1),(2),(8); 117)*

Any party running in the elections independently/electoral bloc may nominate one candidate for Member of Parliament of Georgia to be elected through the majoritarian system in each electoral district. A party/electoral bloc shall submit to the CEC the registration documents of a majoritarian candidate not later than the 30<sup>th</sup> day (8 September) before the Election Day.

**The application shall be certified on behalf of the party running in the elections independently/electoral bloc, by the signature of the person(s) authorised to sign, and shall be supported by two copies of the following documents:**

- ▶ a registration card completed and signed by the candidate for Member of Parliament;
- ▶ photocopy of an identity card or passport of a citizen of Georgia;
- ▶ photograph of the candidate for Member of Parliament;
- ▶ a drug test certificate.

The application shall include the candidate's:

- ▶ first name and surname;
- ▶ date of birth;
- ▶ occupation;
- ▶ position (activity);
- ▶ workplace;
- ▶ place of registration;
- ▶ party membership;
- ▶ period of residence in Georgia.

For the purpose of registering a majoritarian candidate nominated by a party/electoral bloc, **the MDEC chairperson** shall verify the application and supported documents and not later than **the 25<sup>th</sup> day before the Election Day (13 September) shall:**

- ▶ register a candidate for the elections if the submitted documents meet the requirements under the Election Code;
- ▶ notify in writing the representative of the party/electoral bloc on the non-compliance of the data contained in the application and supporting documents with the requirements of the Election Code (specification of the non-compliant data is mandatory).

In the case of non-compliance of the data contained in the application and supporting documents, **three days** shall be given to the representative of a party/electoral bloc to correct the defect in the documents. If the corrected data are submitted, the question

of **the electoral registration** of the candidate shall be decided within five days after the submission of the corrected documents, but not later than **the 20<sup>th</sup> day** before the Election Day (18 September).

**If** the corrected data **comply** with the requirements of the Election Code, the relevant DEC chairperson shall register the candidate.

If the corrected data fail to comply with the requirements established by the Election Code, the relevant DEC chairperson shall, within the same time limits, issue an ordinance refusing to register the candidate for elections. The DEC shall immediately notify the representative of the party/electoral bloc concerned about the ordinance and, upon request, ensure that it is handed over to the party/electoral bloc.

### **Denial of electoral registration to a candidate for Member of Parliament of Georgia and/or grounds for the annulment of electoral registration**

*(Election Code – Articles 116(12); 117(5), 118)*

A DEC chairperson shall not register a candidate for Member of Parliament of Georgia or shall annul the registration of a registered candidate if the applications and documents submitted to the DEC do not meet the requirements established by the Election Code, or if there are other grounds determined by the Election Code, including the following:

- ▶ the data contained in the applications and documents are incomplete or incorrect;
- ▶ other elections are held at the time of the parliamentary elections of Georgia and there is or was, at the same time, the consent of a candidate for Member of Parliament on participation as a candidate in those elections;
- ▶ a majoritarian candidate has not undergone a drug test, or the drug test confirmed the consumption of drugs by this person;
- ▶ it is discovered that the list of supporters submitted by an initiative group includes fewer signatures of voters than required;
- ▶ the electoral registration of the subject that submitted it has been annulled;
- ▶ based on the application of the majoritarian candidate;
- ▶ death of the person.

#### **ATTENTION!**

The electoral registration of the nominated candidate shall be annulled by a court decision if the fact of vote-buying is confirmed *(Election Code – Article 47)*.

## **Annulment of a decision on the nomination of a candidate for Member of Parliament**

*(Election Code – Article 120)*

A candidate for Member of Parliament of Georgia, as well as the party/electoral bloc nominating that candidate, may, at any time, but not later than 10 days before polling day (28 September), refuse to run in the elections or withdraw the nominated candidate, for which they shall file an application to the relevant DEC.

## **Determining the sequence number of electoral subjects**

*(Election Code – Article 119)*

A majoritarian candidate nominated by a party/electoral bloc shall have the same sequence number as assigned to the party/electoral bloc nominating him/her.

**A sequence number shall be assigned** to a candidate nominated by an initiative group of voters by the relevant **main district election commission (MDEC)** not earlier than the 36<sup>th</sup> day (2 September) and not later than the 30<sup>th</sup> day (8 September) before polling day after the CEC holds the relevant meeting regarding the assignment of numbers to electoral subjects. The procedures relating to casting of lots

**shall be carried out at the DEC building in the presence of persons authorised to attend the meetings. For the purpose of casting lots the DEC chairperson:**

- ▶ shall write numbers corresponding to the number of majoritarian candidates nominated by the initiative group at the electoral district on sheets of paper of the same type, size and shape with the same writing implement. The numbers shall start from the number following the highest sequence number assigned to the parties/electoral blocs participating in the elections;
- ▶ each sheet of paper shall be certified by a DEC seal;
- ▶ all sheets of paper shall be folded in such a way that it is impossible to read the numbers written thereon;
- ▶ the DEC chairperson shall put the completed sheets of paper in a transparent box and the representatives of the initiative group of voters shall each take one sheet of paper out of the box;
- ▶ the number drawn shall be assigned to the electoral subject.

The data of the candidates registered at the majoritarian electoral districts which are to be included in the ballot papers shall be published by the CEC by means of the press and other media **not later than 25 days before polling day** (13 September).

## CHAPTER II – REGISTRATION OF OBSERVERS AND REPRESENTATIVES OF ELECTORAL SUBJECTS; ACCREDITATION OF THE REPRESENTATIVES OF THE PRESS AND OTHER MEDIA

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### Registration of observer organisations

*(Election Code – Article 39(2); Article 40)*

A local observer organisation that is observing elections at one electoral district shall be registered by the relevant **MDEC**.

A local observer organisation may be a local non-entrepreneurial (non-commercial) legal entity registered in accordance with the legislation of Georgia not later than one year prior to polling day and the charter or statute (constitutional documents) of which, at the time of registration, envisages the monitoring of elections and/or the protection of human rights and which is registered with the CEC or the relevant DEC for the purpose of observing the elections.

For registration purposes, a local observer organisation may file an application either to an **MDEC** or an **SDEC** not later than the 10th day before polling day (28 September) and submit a photocopy of its constitutional documents/charter certified in accordance with the legislation of Georgia (the **SDEC** shall immediately forward the received documentation to the relevant MDEC). The application shall include the name of the electoral district in which the organisation carries out observation.

**The MDEC** shall make a decision on the registration of the organisation **within five days** after the receipt of the application.



**ATTENTION!**

- ▶ If a local observer organisation meets the requirements established by the Election Code of Georgia, the DEC may not refuse the registration.
- ▶ An ordinance of the DEC on the refusal to register a local observer organisation shall be substantiated and communicated to the organisation not later than the following day after the decision is rendered. In that case, the ordinance of the DEC may be appealed to a court within two days after its receipt.

In the case of registration, a local observer organisation shall, not later than the 5<sup>th</sup> day prior to polling day (3 October), submit to the DEC secretary an application for the registration of observers at PECs and DEC(s), specifying that the observers entered into the list submitted by it meet the requirements established by Article 39(4) of the Election Code of Georgia. The application shall be accompanied by the list of observers appointed at DEC(s) and/or PEC(s) and the copies of the ID cards and passports of a citizen of Georgia of each observer.

**The following shall be specified in the list of observers:**

- ▶ the identity of an observer (name, surname; place of registration);
- ▶ the electoral district and electoral precinct(s) at which he/she is to observe the elections.

**Local observers of a local observer organisation may be citizens of Georgia from the age of 18 (*Election Code – Article 39(4)*), except for:**

- ▶ judges;
- ▶ election commission members;
- ▶ officials of the Prosecutor's Office;
- ▶ electoral subjects and their representatives;
- ▶ state political officials determined by the Law of Georgia on Public Service;
- ▶ members of the Sakrebulo – a representative body of local self-government;
- ▶ head and deputy head of an executive body of local self-government;
- ▶ employees of the Ministry of Internal Affairs, the Ministry of Defence and the Ministry of Corrections of Georgia as well as employees of the State Security Service and Intelligence Service of Georgia and the Special State Protection Service of Georgia.

### Time limits for registering observers of an observer organisation

*(Election Code – Article 40(9))*

**An MDEC secretary** shall, not later than the 2<sup>nd</sup> day after the submission of the list of observers, register, by an ordinance, an observer and provide the observer organisation with observer certificates.

Upon request, **an SDEC** shall issue to observers observer certificates signed by the MDEC secretary (the certificates shall be printed out from the Election Process Management System 'armasi'), which must be certified with the seal of the SDEC.

An observer certificate is, at the same time, an observer's badge and is valid together with an identification document.

#### ATTENTION!

Observers registered at a DEC may conduct monitoring at any electoral precinct in the territory of the respective majoritarian electoral district on the polling day (*Election Code – Article 40(10)*).

### Registration of the representatives of electoral subjects

*(Election Code – Article 42)*

A party/electoral bloc registered by the CEC may appoint two representatives at each election commission, and an initiative group of voters may appoint two representatives to each of the relevant DEC and PECs.

A representative of an electoral subject may be a legally competent citizen of Georgia from the age of 18.

The representatives of a party/electoral bloc shall be registered at PECs by an ordinance by the relevant MDEC secretary. For this purpose, a party/electoral bloc shall file an application to **the relevant DEC secretary** for the appointment of a representative at the PEC; for the appointment of its representatives at DEC (at MDECs as well as SDECs) and the relevant PECs, an initiative group of voters shall file an application with the secretary of the MDEC whose chairperson registered the initiative group of voters.

If an electoral subject files an application with the **SDEC** for the appointment of a representative at an election commission, the commission shall receive and forward the relevant documents to the MDEC.

An application for the appointment of a representative of an electoral subject shall be signed by the head officer of the party/electoral bloc; an application for the appointment of the representatives of an initiative group of voters at a PEC shall be signed by the representative of the initiative group at the DEC.

The application shall contain the following data on the representative of the electoral subject:

- ▶ name, surname
- ▶ year of birth
- ▶ address
- ▶ contact phone number (if any).

The application shall be accompanied by a photocopy of an ID card or passport of a citizen of Georgia of the representative of the electoral subject.

If the relevant information is submitted completely, the DEC secretary shall, **within 24 hours**, register, by an ordinance, the representative of the electoral subject and issue a representative's certificate, which shall, at the same time, serve as a badge of the representative.

Upon request, **an SDEC** shall issue to a registered representative a representative's certificate signed by the MDEC secretary (the certificates shall be printed out from the Election Process Management System 'armasi'); the certificate must be certified with the seal of the SDEC.

#### ATTENTION!

- ▶ The representatives of the electoral subjects appointed at the CEC and a DEC may not simultaneously be appointed at another election commission.
- ▶ An electoral subject may withdraw and/or replace its representative at any time, except for polling day, of which it shall notify the relevant election commission (*Election Code – Article 42(6)*).

## Accreditation of the representatives of the press and other media

*(Election Code – Article 44)*

Accreditation of the representatives of the press and other media operating in the territory of several electoral districts shall be conducted by the CEC secretary or by **the secretaries of the respective MDECs**; and the accreditation of the representatives of the press and other media operating in the territory of only one electoral district shall be conducted by **the secretary of the relevant MDEC**.

Applications for accreditation of the representatives of the press and other media shall be submitted to an **MDEC** not later than the 3<sup>rd</sup> day prior to polling day (5 October). Applications shall be accompanied by photocopies of the ID cards or passports of a citizen of Georgia of the representatives.

If a representative of the press and other media applies to an **SDEC** for accreditation, the commission shall receive and forward the relevant documents to the relevant MDEC.

Within one day after receiving an application, the DEC secretary shall decide on the accreditation of a representative of the press and other media, and provide a representative's certificate to the accredited representative within one day after the decision is made; in the case of denial of accreditation, the representative shall be provided with an appropriate ordinance within the same time limits.

Upon request, **an SDEC shall** provide an accredited representative with a representative's certificate signed by the MDEC secretary (the certificate shall be printed out from the Election Process Management System 'armasi') and shall be certified with the seal of the SDEC.

# **PART IV**

**RECEIPT OF ELECTION  
DOCUMENTS AT DECS;  
SUMMING UP POLLING RESULTS**

## CHAPTER I – RECEIPT/SORTING OF DOCUMENTS AT DECS

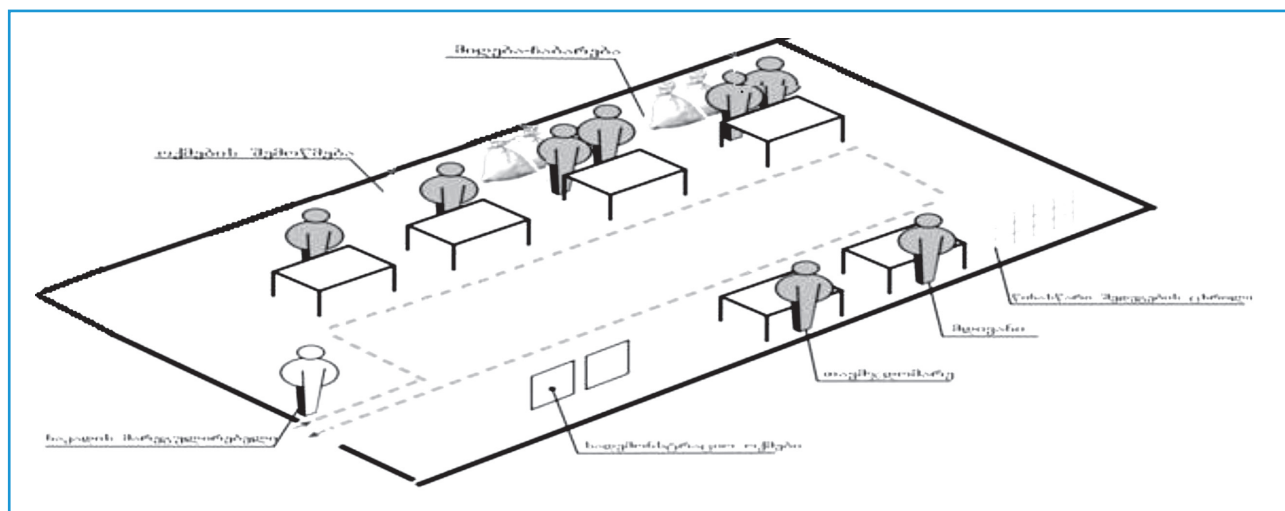
### Receipt/sorting of documents

The authorised persons of a PEC located in the municipal territory of the relevant MDEC shall transfer to the **MDEC**, and the authorised persons of a PEC located in the municipal territory of the relevant SDEC shall transfer to the **SDEC**, a box/bag of election documents and the following in a separate set:

- ▶ summary protocols of polling results;
- ▶ registration book;
- ▶ a sealed envelope of the applications/complaints and of the polling day log-book.

*(Decree of the CEC No 56/2016 of 19 August 2016-website,19.08.2016)*

It is recommended to receive/sort out documents according to the scheme given below.

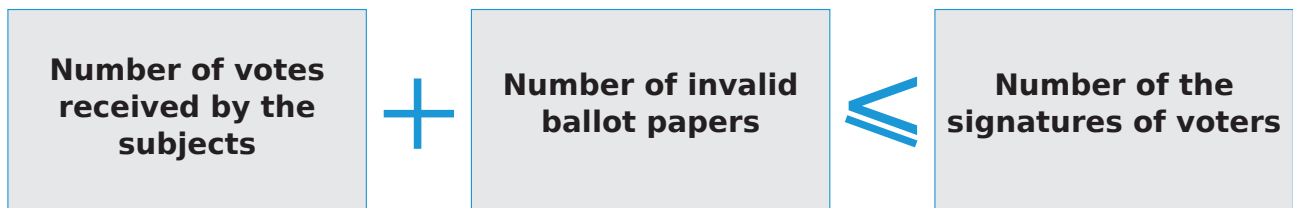


#### **member responsible for regulating the flow shall:**

control the flow of the authorised persons of the PECs and send them to the DEC members responsible for checking the summary protocols of polling results.

#### **DEC members responsible for checking the summary protocols of polling results shall:**

- ▶ receive protocols, the sealed polling day log-book, and complaints;
- ▶ check summary protocols of polling results according to the following formula:



- ▶ Both MDECs and SDECs shall upload the received protocols to the Election Process Management System.

### ATTENTION!

An SDEC shall immediately forward the received summary protocols (originals) and attached documents (amendments protocols, explanations written by registrars (if any)) to the relevant MDEC. In the case of a discrepancy in the summary protocols of the polling results of a PEC, shall, immediately upon their drawing up, forward the explanations of the PEC members and/or amendment protocols to the relevant MDEC.

### A DEC secretary:

**An MDEC secretary** shall keep a summary table of preliminary election results based on the protocols received from PECs (in such a way that the persons authorised to be present at the election commission could monitor the process of verification of protocols received from electoral precincts).

### ATTENTION!

If a protocol is completed incorrectly, the data contained in the protocol shall not be included in the summary table of preliminary results. An incorrectly completed protocol shall be put aside and reviewed at a later stage by the DEC.

A commission member responsible for the receipt of electoral documents from PECs shall make a record of the receipt of materials and issue a delivery and acceptance certificate.

## CHAPTER II – SUMMING UP POLLING RESULTS AT DECS

### Summing up polling results at DECs

*(Election Code – Articles 75 and 124)*

On the basis of the summary protocols of PECs and considering the results of the examination of violations of the election legislation, an **MDEC** shall, not later than on the 11th day (19 October) after polling day, summarise the polling results at its meeting and enter them into the summary protocols of polling results of the elections conducted through the majoritarian and proportional electoral systems.

All DEC members attending the commission's meeting shall sign the summary protocols of election results. The protocols shall be endorsed by the DEC seal.

If a DEC member disagrees with the data specified in the summary protocol, he/she may indicate in the protocols what he/she disagrees with, and attach a written dissenting opinion to the protocols.

### Verification of PEC polling results

*(Election Code – Article 124(2))*

Based on an application/complaint, DECs may make a decision, by an ordinance, on the opening of the packages received from PECs and on re-counting the ballot papers.

#### ATTENTION!

In the process of opening electoral documents, DECs shall observe the following order of priority of re-counting electoral documents:

- ▶ number of signatures in the lists of voters;
- ▶ number of invalid ballot papers;
- ▶ number of votes (ballot papers) cast for each candidate.

In the case of making a decision to open the packages received from a PEC and to re-count the ballot papers, the DEC shall notify all electoral subjects and observer organisations whose representatives attended the process of counting ballot papers at the electoral precinct, and, upon request, ensure the attendance of their representatives at the process of re-counting.



If a decision of the DEC concerns the opening of packages and re-counting ballot papers received from a PEC located in the municipal territory of an SDEC (if any), **the SDEC** shall, based on the decision of the MDEC, carry out the above procedure. Minutes of the SDEC meeting shall be drawn up regarding the verification of the results of re-counting, which shall be forwarded to the MDEC for the follow-up.

### **Publicity of summary protocols of election results**

*(Election Code – Article 75(7)-(9))*

The commission shall ensure that a photocopy of a summary protocol of election results is displayed for public review.

A DEC summary protocol (together with the dissenting opinions of the DEC members), as well as the DEC ordinances on amendments to the PEC summary protocols (if such amendments have been made) shall be immediately submitted to the CEC.

Upon request, **an MDEC** shall immediately forward a photocopy of the summary protocol (together with the dissenting opinions of the commission members) to the representatives of a party/electoral bloc/initiative group and observers of observer organisations. A photocopy of a summary protocol shall be certified with the DEC seal and

the signatures of the DEC chairperson and secretary. A representative/observer shall acknowledge the receipt of the photocopy of a summary protocol of election results with his/her signature in the DEC registration book.

Upon request, **an SDEC** shall issue photocopies of summary protocols of polling results of PECs, printed out from the Election Process Management System. The photocopies of the protocols shall be certified with the SDEC seal and the signatures of the SDEC chairperson and secretary.

# **PART V**

## **RULES FOR SUBMITTING AND REVIEWING APPLICATIONS/COMPLAINTS**

## CHAPTER I – APPLICATIONS/COMPLAINTS ON VIOLATIONS OF POLLING AND COUNTING PROCEDURES

### Persons drawing up applications/complaints and their rights

#### At PECs and higher DEC:

- ▶ a representative of a party/election bloc
- ▶ a representative of an initiative group of voters
- ▶ observers of organisations having the status of election observer

**may**, in accordance with the procedure established by the Organic Law of Georgia on the Election Code of Georgia, file an application/complaint both with an **MDEC** as well as with an **SDEC** on violations committed/identified during the voting, vote counting procedures and at the time of summarising polling results:

- ▶ from the opening of an electoral precinct (**from 7.00**) up to the opening of the ballot box, appeal the violations of procedures on polling day (*Election Code – Article 73(1)*), for which they shall draft an application/complaint upon the detection of the violation (**see Annex No 2**) according to the requirements of the Election Code (**see Annex No 3**);

#### ATTENTION!

The Application/Complaint Form provided in Annex No 2 is of a recommendatory nature and can be presented in any other form, taking into account the details specified in Annex No 3.

- ▶ from the opening of a ballot box up to the drawing up of the summary protocols of polling results, (except for the drawing up of summary protocols of polling results), appeal the procedural violations committed during the counting of votes and summing up the polling results, and request that **the polling results be revised or declared void**.

#### ATTENTION!

An application/complaint on violations committed from the moment of the opening of the ballot box up to the drawing up of summary protocols of polling results (except for the drawing up of the summary protocols of polling results) shall be submitted by the PEC to the higher DEC within two calendar days from polling day. An applicant/complainant may, within the same time limits, submit an application/complaint on the same violation directly to the DEC.

A PEC summary protocol of polling results shall be appealed to the relevant DEC within two calendar days after it is drawn up if the PEC summary protocol of polling results is drawn up in breach of election legislation.

### Registration of applications/complaints with DECs

**Applications/complaints submitted to a DEC shall be registered by the DEC secretary according to the following procedure:**

- ▶ the DEC secretary shall indicate the identity of the applicant in the registration book;
- ▶ the persons submitting and receiving an application/complaint shall sign alongside the entry;
- ▶ in order to confirm the receipt of an application/complaint, the DEC secretary shall issue to the applicant a written certificate signed and sealed by him/her (see Annex No 4).

A DEC secretary shall make sure that an application/complaint includes all the details determined by the Organic Law of Georgia on the Election Code of Georgia (see Annex No 3).

#### ATTENTION!

If a DEC secretary refuses to accept an application/complaint, the applicant/complainant may call the CEC hotline number: 032-251 00 51.

### Identifying deficiencies in applications/complaints

**A DEC secretary shall be obliged to identify deficiencies in an application/complaint and define a reasonable time limit for the applicant/complainant to remedy it if the application/complaint does not contain:**

- ▶ the date and time of drawing up the application/complaint;
- ▶ the name, surname and place of registration of the applicant/complainant;
- ▶ the number of the electoral precinct;
- ▶ in case of a witness, his/her name, surname and place of registration.

The time allowed for remedying the defect shall be reasonable so that the applicant/complainant can remedy the deficiency.

#### ATTENTION!

The reasonable time limit for remedying a defect shall be defined by agreement between the DEC secretary and the person submitting the application/complaint. If the parties fail to agree on the time limit for remedying the defect, the time limits shall be defined by the DEC secretary.

The applicant/complainant shall sign in the registration book alongside the relevant record on the defect.

### **Procedures for remedying a defect**

An applicant/complainant shall have the right to remedy a defect within the defined time limit by submitting the same application/complaint in which the grounds for identifying deficiencies in the application/complaint have been eliminated, and/or submit a new application (specifying the details due to which deficiencies were identified in the application/complaint).

If the defect is remedied, the recipient of the application/complaint shall make a note – ‘defect remedied’ – alongside the application/complaint registered in the registration book, and specify the exact date and time of remedying the defect. The applicant/complainant and the DEC secretary shall sign alongside this note.

If a defect is not remedied within the specified time limit, the application/complaint shall not be reviewed, regarding which the relevant DEC shall issue an ordinance (indicating in the title of the ordinance the specific reasons for leaving the application/complaint without review).

### **ATTENTION!**

- ▶ After registering an application/complaint according to the established procedure, an SDEC shall forward all applications/complaints to the relevant MDEC in the form of ‘outgoing letters’.
- ▶ Based on a written request of an MDEC, an SDEC shall participate in administrative proceedings and ensure the transfer of the materials of the relevant administrative proceedings to the MDEC.

### **Response to applications/complaints**

A submitted application/complaint shall not be reviewed and an MDEC shall issue an ordinance on leaving the application/complaint without review if:

- ▶ the application/complaint is drawn up by an unauthorised person;
- ▶ the substance and the time of commission of the violation is not specified in the application/complaint;
- ▶ the application/complaint was submitted to the commission in violation of the time limits established by law.

A specific reason for leaving the application/complaint without review shall be specified in the title of the ordinance.

### Summoning parties for the review of applications/complaints

**An MDEC shall inform the relevant party of the time and place of review of the case not later than three hours before the beginning of the review of the case. If the complaint is drawn up by:**

- ▶ an observer organisation or its representative registered in the election commission, the time and place of review of the complaint shall be notified to the relevant observer of this organisation registered in the election commission or to that organisation;
- ▶ an electoral subject or its appointed representative, the time and place of review of the complaint shall be notified to the representative appointed by the electoral subject;
- ▶ an election commission member, the time and place of review of the complaint shall be notified personally to him/her.

The parties may be summoned for the review of a complaint either in writing or by phone (including by a mobile phone; short text messages), e-mail, fax or other technical means.

**The summoning of a party by technical means shall be acknowledged:**

- ▶ by contacting on the phone number indicated by him/her;
- ▶ in the case of an e-mail, fax or short text message, by an acknowledgement of receipt delivered by the relevant technical means.

#### ATTENTION!

The party shall be considered summoned if it is impossible to contact him/her through the technical means specified in the complaint (if a mobile phone, fax and computer are turned off, etc.)

A relevant act shall be drawn up when summoning a party by technical means; the act shall be attached to the complaint presented at the DEC meeting (see Annex No 5). The act shall be drawn up by one of the DEC members upon the instructions of the DEC chairperson. The act shall be signed by the person who drew up the act and the DEC chairperson. Failure of the party to appear shall not serve as grounds for postponing the review of the complaint.

## Review of applications/complaints at DEC's

A decision on the review of a complaint shall be made after proper examination and study of evidence submitted by the parties and of the materials obtained by the Electoral Administration on its own initiative.

A party shall have the right to participate in the review of a complaint in accordance with the procedure established by legislation. **A party shall have the right to:**

- ▶ communicate with the election commission through a representative;
- ▶ use the assistance of a lawyer.

**A representative shall submit to the election commission a document of representation certified in accordance with the procedure established by law:**

- ▶ the representation of citizens shall be evidenced by a document of representation issued by them;
- ▶ the representation of an initiative group of voters shall be evidenced by an appropriate document certifying representation;
- ▶ the representation of a party or an observer organisation shall be evidenced by a power of attorney issued by its head;
- ▶ the representation of a lawyer shall be evidenced by a document (power of attorney/warrant) duly issued to him/her by a client.

### ATTENTION!

If a representative fails to present a duly certified document of representation, he/she shall not be allowed to participate in the process of review of the application/complaint and the decision shall be made without considering his/her opinion.

Applications/complaints related to the counting of votes and summing up of polling results shall be reviewed and decided upon by an **MDEC within two days after the registration** of the application/complaint either with the MDEC or with the SDEC. An MDEC shall make a decision by an ordinance, which may be appealed only to a court in accordance with to the procedure established by the Election Code of Georgia.

## CHAPTER II – APPLICATIONS/COMPLAINTS ON VIOLATIONS OF ELECTION LEGISLATION (EXCEPT FOR POLLING DAY)

The decisions of a PEC/head officers of a PEC may be appealed to a relevant DEC within two calendar days after they are made.

A DEC shall, within two calendar days, review an appeal submitted against a decision rendered by a PEC or by the head officers of a PEC.

### Registration of applications/complaints at DEC

**Applications/complaints submitted to DEC shall be registered by the relevant DEC secretary according to the following procedure:**

- ▶ a DEC secretary shall specify the identity of the applicant/complainant in the registration book;
- ▶ the persons submitting and receiving the application/complaint shall sign alongside the record;
- ▶ in order to acknowledge the receipt of the application/complaint, a DEC secretary shall issue a written certificate to the applicant/complainant signed and sealed by him/her (see Annex No 3).

### ATTENTION!

A party shall, in addition to the details required by law, clearly indicate the contact phone numbers (home and mobile phone numbers) of the person who drew up the application/complaint, also the fax number and e-mail address (if any) of the person who drew up the application/complaint.



### Following up on applications/complaints

**A submitted application/complaint shall not be reviewed and a DEC shall issue an ordinance on leaving the application/complaint without review if:**

- ▶ the application/complaint is drawn up by an unauthorised person;
- ▶ the application/complaint has been submitted to the election commission in violation of the time limits and procedures established by law.

#### ATTENTION!

A DEC shall not identify deficiencies of applications/complaints submitted due to violations of election legislation (except for polling day). In the case of relevant grounds, an application/complaint shall be left without review without identifying deficiencies. Summoning the parties for the review of applications/complaints and the review of applications/complaints shall be carried out in a uniform manner determined in relation to the applications/complaints submitted on violations of vote counting and voting procedures.

## CHAPTER III – TIME LIMITS AND PROCEDURE FOR APPEAL DECISIONS OF DECS/DEC HEAD OFFICERS

A decision of a DEC/DEC head officer, except for the decisions specified below, may be appealed to the CEC within one calendar day after it is adopted.

The decisions of a DEC, such as a decision to refuse to make amendments to the data/lists of voters and to refuse to register a local observer organisation, as well as decisions made with respect to the decisions of a PEC/PEC head officers (including with respect to drawing up summary protocols of polling results) may be appealed to an appropriate city/district court within two calendar days.

## ANNEX No 1

Territorial Scope Majoritarian Electoral District	Number and Name of the Main District Election Commission	Number and Name of the Subsidiary District Election Commission
No 1	No 1 Mtatsminda District Election Commission	
No 2, No 3	No 2 Vake District Election Commission	
No 4, No 5, No 6	No 3 Saburtalo District Election Commission	
No 7	No 4 Krtsanisi District Election Commission	
No 8, No 9, No 10	No 5 Isani District Election Commission	
No 11, No 12, No 13	No 6 Samgori District Election Commission	
No 14	No 7 Chugureti District Election Commission	
No 15, No 16	No 8 Didube District Election Commission	
No 17, No 18, No 19	No 9 Nadzaladevi District Election Commission	
No 20, No 21, No 22	No 10 Gldani District Election Commission	
No 23	No 11 Sagarejo District Election Commission	
No 24	No 12 Gurjaani District Election Commission	
No 25	No 13 Signagi District Election Commission	No 14 Dedoplistskaro District Election Commission
No 26	No 15 Lagodekhi District Election Commission	No 16 Kvareli District Election Commission
No 27	No 17 Telavi District Election Commission	No 16 Kvareli District Election Commission
No 28	No 18 Akhmeta District Election Commission	
No 29, No 30	No 20 Rustavi District Election Commission	
No 31	No 21 Gardabani District Election Commission	
No 35, No 36	No 22 Marneuli District Election Commission	
No 33	No 23 Bolnisi District Election Commission	
No 34	No 24 Dmanisi District Election Commission	No 25 Tsalka District Election Commission
No 32	No 26 Tetrtskaro District Election Commission	
No 37	No 27 Mtskheta District Election Commission	
No 38	No 28 Dusheti District Election Commission	No 19 Tianeti District Election Commission No 29 Kazbegi District Election Commission
No 39	No 30 Kaspi District Election Commission	
No 41, No 42	No 32 Gori District Election Commission	
No 40	No 33 Kareli District Election Commission	

No 43	No 35 Khashuri District Election Commission	
No 45	No 36 Bordjomi District Election Commission	No 39 Aspindza District Election Commission
No 44	No 37 Akhaltsikhe District Election Commission	No 38 Adigeni District Election Commission
No 46	No 40 Akhalkalaki District Election Commission	No 41 Ninotsminda District Election Commission
No 58	No 44 Ambrolauri District Election Commission	No 43 Oni District Election Commission No 45 Tsageri District Election Commission No 46 Lentekhi District Election Commission No 47 Mestia District Election Commission
No 50	No 49 Terjola District Election Commission	No 57 Tkibuli District Election Commission
No 53	No 50 Sachkhere District Election Commission	
No 52	No 51 Zestaponi District Election Commission	
No 51	No 52 Baghdati District Election Commission	No 48 Kharagauli District Election Commission
No 54	No 53 Vani District Election Commission	No 55 Khoni District Election Commission
No 55	No 54 Samtredia District Election Commission	
No 56	No 56 Chiatura District Election Commission	
No 57	No 58 Tskaltubo District Election Commission	
No 47, No 48, No 49	No 59 Kutaisi District Election Commission	
No 59	No 60 Ozurgeti District Election Commission	
No 60	No 61 Lanchkhuti District Election Commission	No 62 Chokhatauri District Election Commission
No 63	No 64 Senaki District Election Commission	
No 62	No 65 Martvili District Election Commission	No 63 Abasha District Election Commission
No 64	No 66 Khobi District Election Commission	
No 65, No 66	No 67 Zugdidi District Election Commission	
No 67	No 68 Tsalenjikha District Election Commission	No 69 Chkhorotsku District Election Commission
No 61	No 70 Poti District Election Commission	
No 68, No 69, No 70	No 79 Batumi District Election Commission	
No 71	No 81 Kobuleti District Election Commission	
No 72	No 83 Khelvachauri District Election Commission	
No 73	No 84 Khulo District Election Commission	No 80 Keda District Election Commission No 82 Shuakhevi District Election Commission

ANNEX No 2

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 a) In the case of submitting an application/complaint to an electoral precinct, the name and number of the electoral precinct and of the MDEC must be specified.

b) In the case of submitting an application/complaint to any election commission within an electoral district, the name and number of the MDEC must be specified.

**Application/Complaint**

(underline the appropriate one)

Applicant/Complainant -----  
 Name, surname, address according to the place of registration, and contact telephone number

-----  
 Fax, e-mail address (if any)

Violation: Polling procedure  Time of violation -----  
 Hour, minute

Counting of votes/procedure for summarising polling results

No "----" "-----" Electoral precinct

Substance of the violation: -----  
 -----  
 -----

Witnesses (if any) -----  
 Name, surname, address according to the place of registration

If a person responsible is identified – all the information that it was possible to obtain on him/her:

-----  
 -----

Explanation of the person responsible (if any) -----  
 -----  
 -----

(Other additional information) -----  
 -----

In view of the above, please review my application/complaint and take relevant measures (if requesting an annulment or other measures, please indicate the relevant request) -----  
 -----  
 -----

Reasonable period of time necessary for the substantiation of the position in the case of review of the application/complaint ----- minutes

"----" "-----" 20---- year

Applicant/complainant:

Application/complaint -----  
 (Time of preparation (hour, minute)) signature

**Note:** This application/complaint, irrespective of its submission to any of the DEC's within the electoral district, shall be forwarded to and reviewed by the relevant MDEC according to the procedure established by law.

### **Details of Applications/Complaints Submitted to an Election Commission**

- ▶ The following shall be specified in an application/complaint:
- ▶ the date and time of drawing up the application/complaint\*;
- ▶ the name, surname and place of registration of the applicant/complainant\*;
- ▶ the number of the electoral precinct\*;
- ▶ in case of a witness, his/her name, surname and place of registration\*;
- ▶ the substance and time of the violation\*\*;
- ▶ if a person responsible is identified, all the information that it was possible to obtain on him/her\*\*;
- ▶ the explanation (if any) of the person responsible\*\*;
- ▶ the contact phone number (home phone and/or mobile phone number) of the applicant/complainant\*\*\*;
- ▶ fax number and e-mail address (if any) of the applicant/complainant\*\*\*;1
- ▶ (other additional information).

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\* Failure to specify these details accurately/completely shall serve as grounds for identifying deficiency in the application/complaint, and if the defect is not remedied, for leaving it without review.

\*\* Failure to specify these details shall serves as grounds for leaving the application/complaint without review without identifying deficiencies in.

\*\*\* Failure to specify these details accurately/completely may not serve as grounds for identifying deficiency in the application/complaint and for leaving it without review, but may serve as grounds for not summoning a party to the review of the complaint.

ANNEX No 4

№ „.....“..... District Election Commission

**Certificate  
Of Registration of the Application/Complaint**

Date of receipt of the application/complaint: .....

Time of receipt of the application/complaint: .....

Registration number of the application/complaint: .....

DEC secretary: .....

/Signature/

# Act

## On Summoning a Party by Technical Means

City ----- „----“ „-----“ 20--.

Drafter of the Act -----

(Name, surname and position)

Have drawn up this Act on -----

(Identity of the person to be summoned, name and number of the technical means with which the party was contacted, and the result thereof)

(Time and place of the review of the complaint)

(Title of the complaint for which the person has been summoned)

In the case of failure to appear, the content of Article 77(25) and (31) of the Organic Law of Georgia on the Election Code of Georgia has been explained to the party.

This Act has been drawn up in consideration of all the above and we confirm its correctness with our signature:

-----  
(Signature of the drafter of the Act)

-----  
(Signature of the DEC Chairperson/Head of the relevant Department of the CEC)

Time of drawing up the act -----







NOTES

Lined writing area consisting of 30 horizontal lines.





